

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BEVERLY PINKNEY,)	CASE NO. 5:09 CV 1794
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	MAGISTRATE JUDGE
)	WILLIAM H. BAUGHMAN, JR.
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	<u>REPORT & RECOMMENDATION</u>
Defendant.)	

This matter comes before the Magistrate Judge by automatic reference of administrative action¹ for review of the decision of the Commissioner of Social Security denying plaintiff's applications for Supplemental Security Income and Social Security disability insurance benefits.²

Counsel for the plaintiff has filed a motion to dismiss.³

On consideration whereof, the Magistrate Judge recommends the dismissal of the above-captioned case.

Dated: December 1, 2009

s/ William H. Baughman, Jr.
United States Magistrate Judge

Objections

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the District Court's order.⁴

¹ By non-document order of August 5, 2009.

² ECF # 1.

³ ECF # 12.

⁴ See *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also *Thomas v. Arn*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986).